

City of Houston, Texas, Ordinance No. ~~2020-175~~ 627

ORDINANCE AMENDING ORDINANCE NUMBER 2020-175 TO APPROVE THE ACQUISITION OF REDESIGNED PARCEL AY20-125 FOR THE FACILITIES IMPROVEMENTS AT VARIOUS WELL SITES AND RE-PUMP STATIONS PACKAGE III PROJECT AND FURTHER FINDING AND DETERMINING PUBLIC CONVENIENCE AND NECESSITY FOR THE ACQUISITION OF SUCH PARCEL BY GIFT, DEDICATION, PURCHASE AND IF NECESSARY THE USE OF EMINENT DOMAIN; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council of the City of Houston, Texas, passed and adopted Ordinance No. 2020-175 on March 4, 2020, finding and determining it necessary and proper to authorize and approve the acquisition of parcels of land, by gift, dedication, purchase, or condemnation for the Facilities Improvements at Various Well Sites and RE-Pump Stations Package III Project(the "Project")

WHEREAS, design changes to the Project now require the acquisition of Parcel AY20-125 to complete the Project; and

WHEREAS, the City Council of the City of Houston, Texas deems it necessary and proper and in the best interests of the public to amend ordinance No. 2020-175 to provide for the acquisition of a redesigned parcel of land located in Harris County, Texas, by gift, dedication, purchase, or if necessary eminent domain, as described in Exhibit "A" attached hereto, for and in connection with the Project; and

WHEREAS, the record vote of City Council pertaining to this ordinance applies to all units of property described in Exhibit "A" **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the City Council of the City of Houston, Texas, hereby ratifies, confirms and adopts the finding and recitals contained in the preamble to this Ordinance and further finds that the finding and recitals are true and correct and declares:

(a) Ordinance No. 2020-175 is hereby amended to include the acquisition of the redesigned parcel of land as described in Exhibit "A" and,

(b) that public convenience and necessity requires the subject Project and necessitates the acquisition of certain tracts of real property in fee simple title or easement to the land described in Exhibit "A", together with any improvements situated thereon;

Section 2. That the City Council also hereby approves and authorizes the fee simple or easement acquisition of real property by gift, dedication or purchase for and in connection with the Project.

Section 3. That the City Council further hereby approves and authorizes the use of eminent domain to acquire fee simple or easement interest in the real property described in Exhibit "A" for and in connection with the Project. The City Attorney is hereby authorized and directed to file, or cause to be filed, proceedings in eminent domain to acquire fee simple title to or easement interest in the real property described in Exhibit "A", that cannot be acquired by gift, dedication or purchase. The City Attorney is also authorized to deposit the sum of money equal to the amount of the Award of Special Commissioners into the registry of the Court and pay all costs and expenses associated therewith in any eminent domain action filed to acquire the needed real property, without further authorization from City Council.

Section 4. That the City Council hereby approves and authorizes the payment of all the costs associated with the acquisition of the real property described in Exhibit "A" for and in connection with the Project, including but not limited to the costs of purchases or, if necessary, eminent domain proceedings including settlements, relocation assistance expenses, appraisal fees, title policies/services, recording fees, court costs and expert witness fees without further authorization from City Council.

Section 5. That the City Council hereby approves and authorizes the contracts, agreements or other undertakings required to carry out the purposes described in the title of this Ordinance and in connection with the Project, including the negotiation and settlement of any eminent domain proceedings filed as authorized herein, in the form approved by the City Attorney from time to time, without further authorization from City Council. The Mayor (or in the absence of the Mayor, the Mayor Pro Tem) is hereby authorized to execute such documents in connection with the Project and take all actions necessary to effectuate the City's intent and objectives in approving such contracts, agreements or legal proceedings, or other undertakings in the event of changed circumstances. The City Secretary (or, in the absence of the City Secretary, any Assistant City Secretary) is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents. The City Attorney is hereby authorized to take all action necessary to enforce legal obligations under said contracts, agreements, legal proceedings or other undertakings including the negotiation and settlement of any eminent domain proceedings filed as authorized herein, without further authorization from City Council.

Section 6. Houston Public Works, the City Attorney, the City Secretary, the City Controller, or their agents be and they are hereby authorized and directed to perform any and all acts within their respective spheres of official duties toward the final acquisition of each and all of the tracts of land or interests therein with improvements, if any, thereon, within the alignment of the Project, without further authorization from City Council.

Section 7. That there exists a public emergency requiring that the Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore this Ordinance shall be passed finally on such date and shall take effect

immediately upon its passage and approval by the Mayor; however in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI Section 6, Charter of the City of Houston, Texas.

PASSED AND ADOPTED this 15th day of July, 2020.

APPROVED this ____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the forgoing Ordinance is JUL 2 1 2020.

Art J. Honies
City Secretary

Michelle Grossman
Michelle Grossman
Assistant City Attorney

(Prepared by Legal Dept.)
July 2, 2020

Requested by: Houston Public Works

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
		DAVIS
		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

PARCEL NO	AY20-125
PROJ NO	S-001000-0053-3
DWG NO	12367R

CITY OF HOUSTON KATY ADDICKS WELL NO 11
0.2594 OF ONE ACRE
PROPOSED ACCESS EASEMENT

MARCH 26, 2020
JOB NO. 2776-02

DESCRIPTION OF A 0.2594 ACRE TRACT OF LAND SITUATED
IN THE JOEL WHEATON LEAGUE, ABSTRACT NO. 80
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

BEING a 0.2594 acre (11,300 square foot) tract of land situated in the Joel Wheaton League, Abstract No. 80, City of Houston of Harris County, Texas, being a portion of the remainder of a called 10.737 acre tract of land as described in an instrument to Conoco Inc. recorded under Harris County Clerk's File Number (H.C.C.F. No.) G556512, being a portion of the remainder of a called 15.257 acre tract of land described as Parcel One in an instrument to Continental Oil Company recorded under H.C.C.F. No. F780445 and being a portion of Unrestricted Reserve "A", Block 1 of CONOCO INC. - DAIRY-ASHFORD a subdivision per plat recorded under Film Code Number 352114 of the Harris County Map Records, said 0.2594 of one acre tract of land described by metes and bounds as follows, with all bearings based on the Texas Coordinate System of 1983 (NAD83), South Central Zone 4204, coordinates shown hereon are grid and can be converted to surface coordinates by dividing by a combined scale factor of 0.9998947148:

COMMENCING at a 5/8-inch iron rod found for the southwest corner of a called 0.6804 acre tract of land described as Tract 1 in an instrument to the City of Houston recorded under H.C.C.F. No. J013599, having grid coordinates of X=3,041,038.86, Y=13,850,121.61;

THENCE, N 88°37'50" E, along the south line of said Tract 1, at a distance of 159.85 feet pass the southeast corner of said Tract 1, same being the southwest corner of a called 0.0118 acre tract of land described as Tract 2 in an instrument to the City of Houston recorded under H.C.C.F. No. J013599 and continuing along the south line of said Tract 2 for a total distance of 173.44 feet to the POINT OF BEGINNING and the northwest corner of the herein described tract, having grid coordinates of X=3,041,212.26, Y=13,850,125.75;

THENCE, N 88°37'50" E, continuing along the south line of said Tract 2, a distance of 37.54 feet to the northeast corner of the herein described tract, lying on the westerly right-of-way line of North Eldridge Parkway (width varies) recorded under Film Code Number 352114 of the Harris County Map Records, from which a found aluminum monument bears S 88°37'50" W, 1.44 feet;

THENCE, along and with the said westerly right-of-way, the following courses and distances:

S 02°17'10" E, a distance of 30.50 feet to an interior corner of the herein described tract, from which a found 5/8-inch iron rod bears S 76°33'05" W, 0.96 feet;

N 87°42'50" E, a distance of 10.00 feet to the beginning of a non-tangent curve to the right, from which its center bears S 87°42'50" W, 1,577.14 feet, from which a found aluminum monument bears S 21°57'08" W, 0.44 feet;

In a southwesterly direction along said curve to the right, a distance of 290.59 feet, having a radius of 1,577.14 feet, a central angle of 10°33'25" and chord which bears S 02°59'33" W, 290.18 feet to the most easterly Southeast corner of the herein described tract;

S 87°30'24" W, a distance of 42.91 feet to an interior corner of the herein described tract;

S 08°11'59" W, a distance of 51.45 feet to the South corner of the herein described tract, lying on the North line of said Unrestricted Reserve "A";

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0.2594 OF ONE ACRE
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MARCH 26, 2020
JOB NO. 2776-02

THENCE, N 33°09'58" W, leaving the westerly right-of-way line of said North Eldridge Parkway, over and across said Unrestricted Reserve "A", a distance of 37.83 feet to the South corner of the herein described tract;

THENCE, over and across said Unrestricted Reserve "A" and said 10.737 acre tract, the following courses and distances:

N 08°11'59" E, a distance of 30.65 feet to the most westerly Southwest corner of the herein described tract;

N 47°45'47" E, a distance of 52.91 feet to the beginning of a non-tangent curve to the left, from which its center bears N 80°18'54" W, 1,390.00 feet;


In a northeasterly direction along said curve to the left, a distance of 214.74 feet, having a radius of 1,390.00 feet, a central angle of 08°51'05" and chord which bears N 05°15'33" E, 214.52 feet to an interior corner of the herein described tract;

N 23°08'39" W, a distance of 65.88 feet to the **POINT OF BEGINNING** and containing 0.2594 of one acre (11,300 square feet) of land.



Anthony L. Meier RPLS No. 6712
BGE, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

PARCEL NO	AY20-125
PROJ NO	S-001000-0053-3
DWG NO	12367R

CHECKED 
DATE 4-16-2020
APPROVED 